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COMMITTEE ON THE RIGHTS OF THE CHILD

Eleventh session

SUMMARY RECORD OF THE 276th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 18 January 1996, at 3 p.m.

Chairperson: Mrs. BELEMBAOGO

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REPUBLIC OF KOREA

* No summary record was prepared for the 275th meeting.

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GE.96-10285 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Republic of Korea (CRC/C/8/Add.21; CRC/C.11/WP.4)

1. At the invitation of the Chairperson, Mr. Seung Ho, Ms. Myung Sook Kim, Mr. Chang Ho An, Mr. Sangheon Um, Ms. Hyun Joo Oh, Mr. Keywon Cheong, Mr. Joon-Hee Lee, Mr. Yong Dal Kim and Mr. Kang Hyeon Yun (Republic of Korea) took places at the Committee table.

2. The CHAIRPERSON invited the Korean delegation to present the initial report of the Republic of Korea (CRC/C/8/Add.21).

3. Mr. Seung HO (Republic of Korea) said that the report of the Republic of Korea described as precisely as possible the legal, administrative and institutional efforts to protect and promote the rights of children in Korea as well as the difficulties faced by Korean children and the obstacles to the full implementation of the Convention. Statistical data had been included where possible, in order to illustrate policy effectiveness. The report had been prepared through cooperation between the government ministries in charge of children's affairs and non-governmental organizations whose work was related to the protection and promotion of the rights of the child.

4. The Republic of Korea had always made efforts to promote children's rights. The Constitution, the Civil Code, the Criminal Code and the Education Law stipulated that the fundamental human rights of the child should be respected. The Child Welfare Act of 1961 had been revised in 1981 to broaden the scope of welfare services, which had hitherto been restricted to orphans and children from poor households, to all children. The Basic Act on Youth of 1992 was designed to create an enabling environment for the young generation. Policies for children and youth were formulated by the various relevant Government Ministries and national authorities. Various departments in the Ministry of Health and Welfare and the Ministry of Culture and Sports dealt solely with youth and children's affairs. Following the World Summit for Children, the authorities had formulated a National Plan of Action aimed at improving maternal and child health care, family nutrition and family planning, providing safe drinking water and food sanitation, improving the quality of education, protecting employed children and youth and promoting the welfare of disabled children. That Plan was now being implemented as an integral part of the seventh five-year socio-economic development plan for 1992-1996. Considerable progress had also been achieved in the fields of basic health care and education for children. Rising income, improved housing and hygienic conditions and increased dietary and nutritional awareness had contributed to that progress. Under the Education Act, every citizen was entitled to six years of elementary school education, as well as three years of middle-school education. Investments in education were not merely crucial to the well-being of children, but constituted the cornerstone of Korea's economic and social development.

5. However, much still remained to be accomplished. Full enjoyment of children's civil and political rights still tended to be restricted by a growth-oriented national policy. Similarly, the exercise by children of their

right to proper leisure, recreation and cultural activities was hampered by a system of education which required the passing of an entrance examination before promotion to a higher school, as well as by social pressure which placed special emphasis on higher academic careers.

6. Aware of its responsibilities and duty to ensure the best interests of children and knowing that children's rights could only be guaranteed in a democratic society, his Government would continue to pursue its children's policy as part of its efforts to promote the political, social and cultural rights of the Korean people. His delegation hoped that the outcome of the discussions would help to identify the steps that still needed to be taken in that area.

7. The CHAIRPERSON, noting that the replies of the Government of the Republic of Korea (document without a symbol) to the list of issues prepared by the Committee (CRC/C.11/WP.4) had been distributed during the meeting and the members of the Committee had not had the time to read them, proposed that the delegation of the Republic of Korea should briefly present those replies starting with the questions concerning general measures of implementation (questions 1 to 8).

8. Mr. Seung HO (Republic of Korea), replying to the question concerning his Government's reservations to the Convention on the Rights of the Child, said that the withdrawal of the reservation to article 9, paragraph 3, of the Convention was being considered as part of the revision of the Civil Code. Article 21 of the Convention was contrary to the Korean Civil Code, article 871 of which stipulated that, when a child's parents agreed to an adoption, permission from a family court was not necessary. Article 40, paragraph 2 (b) (v), was contrary to the Constitution and Military Court Law, which stipulated that crimes under a state of emergency might be judged by a single trial unless the death penalty applied.

9. With regard to the status of the Convention in relation to national legislation, under article 6, paragraph 1, of the Constitution of the Republic of Korea, international instruments to which the Republic of Korea was a party had the same effect as the domestic laws of the Republic of Korea. Therefore, the Constitution made it impossible to enact domestic laws which ran counter to the Convention. Article 10 of the Constitution guaranteed the fundamental rights and freedoms of citizens. The provisions of the Convention might be and had already been directly invoked before the courts.

10. Turning to questions 3, 4, 7 and 8 of the list of issues (CRC/C/11/WP.4), he noted that the Government planned to establish a Consultation Committee for Social Security to be chaired by the Prime Minister. Its vice-chairpersons would be the Ministers of Finance and Economy and Health and Welfare, respectively. One of the primary objectives of the Committee would be to coordinate policies in the area of social security. It was also expected to coordinate activities related to the promotion of the rights of the child. Actual services and activities for children were delivered through provincial and local-level administrative organizations. There were 7,112 members of the Child Welfare Committee at the community level who studied and deliberated issues on child welfare policy, the improvement of child-care facilities and the sound development of underprivileged children and monitored the

implementation of all the rights of the child recognized in the Convention. In addition, a National Committee on the Rights of the Child had been established in August 1995. Its main functions were to disseminate the Convention, to train persons who were in contact with children about the principles and provisions of the Convention, to urge the Government to promote all the rights of the child recognized in the Convention, to monitor the activities for implementing the Convention and to coordinate governmental and non-governmental activities related to the Convention. The members of the Committee included non-governmental organizations, research institutions, representatives of newspapers and officials of the Ministries of Foreign Affairs, Health and Welfare, Education, and Justice. The Korean Committee for UNICEF also organized many activities aimed at disseminating the Convention to adults and children alike, urging the Government to promote all the rights of the child recognized in the Convention and monitoring the implementation of the Convention. The Government had published the initial report of the Republic of Korea in both Korean and English.

11. The system of social indicators had been restructured in 1995 by the Korea Institute for Health and Social Affairs with the financial support of the National Statistics Office. Many indicators concerning, for instance, needy children, children's education and children's outdoor activities had been developed. The Ministry of Health and Welfare gathered and published on a regular basis statistical data and information on the areas within its jurisdiction. Similarly, the Korea Educational Development Institute published biannually background data on educational opportunities and conditions, the financing of education, social education and an international comparison of educational indicators.

12. On the question of the implementation of article 4 of the Convention, for the 1996 fiscal year, the child-related Government budget, including education, amounted to US$ 17.6 billion, representing 23.9 per cent of the overall Government budget.

13. Mrs. SANTOS PAIS welcomed the size of the Korean delegation and the fact that many of its members had come from Korea specifically for the presentation of the report. She also welcomed the very critical approach used in the drafting of the initial report. Despite the difficulties that the Republic of Korea was experiencing during the current period of economic change, one positive achievement worth noting in the area of the promotion and protection of the rights of the child was the National Plan of Action which had been submitted by the Government to UNICEF in 1992 and which was devoted not only to education, water supply and health, but also to services for underprivileged children. The fact that the Plan of Action was part of the five-year Socio-Economic Development Plan was also extremely encouraging. However, greater efforts could be made to draw up a global policy in the area of children. The recent establishment of the National Committee on the Rights of the Child was therefore a step in the right direction. In that regard, she wished to know whether the National Committee had been requested to study the situation of all children in the country in relation to the provisions of the Convention.

14. The Committee welcomed the fact that the Korean authorities were considering the possible withdrawal of the reservation to article 9,

paragraph 3, of the Convention. However, she was still concerned about the reservations to article 21 and article 40, paragraph 2 (b) (v), of the Convention. A lengthy discussion had been held on article 21 of the Convention concerning adoption. The paramount concern underlying the provisions of that article was the best interests of the child. However, in view of the fact that, in the Republic of Korea, the adoption process could be ratified by a simple declaration, it was questionable whether the best interests of the child concerned were really taken into account. Similarly, it was not at all certain that the biological parents, adoptive parents and the child concerned received sufficiently complete information in order to take a fully informed decision. Moreover, article 21 provided that the "competent authorities" must intervene to determine the child's status concerning his biological parents and adoptive parents. In most countries, courts carried out that function, but that was not an obligation, since article 21 did not specify the "competent authorities" which had to undertake that task. In any case, in the area of adoption, decisions must not be taken solely by the biological parents and adoptive parents. The dissolution of an adoption also gave rise to similar concerns.

15. Turning to article 40, paragraph 2, she noted that, while the Republic of Korea was not the only country to have made a reservation to that particular provision, it was one of those that had made reference to laws concerning military courts and a state of emergency. When a state of emergency was declared, fundamental rights and freedoms were restricted because it was felt that such restriction was necessary for national security. However, some balance must always be struck between the restrictions in question and what was needed to ensure the country's security. In that regard, a civilian court should perhaps be allowed to assess whether such a balance was maintained in the decisions taken by military courts. Her concerns on that issue were based on the recommendation of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, who had recently visited the Republic of Korea and had urged the authorities to repeal the Military Court Law.

16. Concerning the status of the Convention in relation to national legislation, she welcomed the fact tnat the Convention had the same effects as national laws. The fact that the Korean Constitution contained a provision that the freedom and rights of citizens could not be disregarded due to the absence of specific provisions in the Constitution was equally encouraging. That being the case, she wondered whether the failure to mention a right in the Constitution amounted to unconstitutionality by omission. In other words, if a citizen wanted to exercise one of the rights under the Convention that was not mentioned in the Constitution of the Republic of Korea, what would be the outcome of possible proceedings instituted before a court?

17. She wished to know whether the authorities of the Republic of Korea intended to establish an independent institution, such as an ombudsman, to monitor the implementation of the Convention.

18. Mr. HAMMARBERG, noting from the reply to the question on the list of issues (CRC/C.11/WP.4) concerning the proportion of the budget allocated to spending on children that about 24 per cent of the national budget was devoted to children, said that a careful scrutiny of the table annexed to the

statement revealed that the bulk of that sum went to education and that the other entries accounted for only 2 per cent of the national budget. He would appreciate more information on that subject. He also wished to know whether the Korean authorities had assured themselves that there was indeed a debate on the consequences, for the rights of the child, of decisions taken on the allocation of resources. He requested additional information on the status of the Child Welfare Committee and its members and asked whether any machinery had been established to ensure that the reports that the 7,112 members of that Committee prepared at the community level and the recommendations of the National Committee on the Rights of the Child led to decisions at the central level.

The meeting was suspended at 4.10 p.m. and resumed at 4.20 p.m.

19. Mr. Seung HO (Republic of Korea) said that the Korean Committee for UNICEF was the body which devoted the most time to the dissemination of the Convention since it organized seminars, courses and lectures on that topic on a continuing basis in various parts of the country. Moreover, the 7,112 members of the Child Welfare Committee all worked at the local level and received any complaints or suggestions concerning the promotion of the rights of the child. They met regularly, analysed the information available and reported to their local authorities, which forwarded the reports to the central authorities.

20. In the Republic of Korea, there was no institutional machinery for legally approving or dissolving adoptions. When the parties concerned reached agreement in good faith taking due account of the paramount interests of the child, they went before the administration responsible for recording the adoption or the dissolution of the adoption. As soon as the adoption was recorded, the adopted child was considered as a full member of the adopting family. Similarly, as soon as the dissolution of an adoption was recorded, the child immediately regained the status he had had within his former family. If nothing in the procedure clearly militated against the rights of the child, the administration concerned proceeded to register it. That mechanism was part of a long-standing tradition in the Republic of Korea whereby courts did not intervene in adoption matters. Thus far, moreover, that mechanism had not caused any major problem.

21. According to the jurisprudence of Korean courts, the factors listed in the Constitution and in the laws of the Republic of Korea were considered examples and were by no means exhaustive. The principle applied was that a factor should not be ignored or neglected simply because it would not be part of an enumeration in the Constitution or in the laws. That was why, thus far, no major problem had arisen in that regard.

22. Concerning the reservation to article 40, paragraph 2 (b) (v), the single trial system did exist in Korea, but was peculiar only to military courts, which, when a state of emergency was declared, had to deal with offences committed by soldiers or military employees as well as with crimes of military espionage, crimes against military guards, guardposts, prisoners of war and offences designed to interfere with the food supply. While it was true that from a purely legal standpoint, the rights of children could theoretically be violated, in practice, there had never been a major problem in that regard.

23. The Republic of Korea did not have an independent body that dealt solely with the rights of the child. At the local level, the local authorities and members of the Child Welfare Committee performed functions that were comparable to those that could be carried out by an ombudsman.

24. Mrs. KARP asked whether there were statistics on the number of civilians tried by military courts during the previous five years.

25. Mrs. SANTOS PAIS said that, although she was aware that the members of the Committee acted as devil's advocates, she wished to raise two questions concerning military courts. First, she wondered whether only soldiers could be tried by military courts. An affirmative answer would mean that such soldiers must necessarily be over 18 years old. That being the case, what was the purpose of maintaining the reservation to article 40, paragraph 2 (b) (v)? Secondly, if an offence, even one committed by a soldier, was an offence under ordinary law, she wondered whether it would not be preferable for ordinary rather than military courts to deal with the matter.

26. Noting that the dissolution of an adoption entailed serious consequences for the child, especially with respect to his identity and development, she asked what became of the child and whether he went back to his original family and took that family's name again. She also wondered whether the fact that, under Korean law, the adoption of a child did not require the authorization of the competent authorities might not facilitate the dissolution of adoptions to a much greater extent than the interest of the child would sometimes justify. Such a danger should perhaps be a valid argument for withdrawing the reservation to article 21 (a).

27. She also wished to know whether a provision of the Convention could be invoked directly before the courts, what specific training was provided on the Convention to the 7,000-odd members of the Child Welfare Committee, what the ratio of social expenditures was to military expenditures in the Korean budget and what priority was assigned, with regard to social expenditures, to disadvantaged groups such as homeless children or children from isolated regions.

28. Mr. HAMMARBERG said that the Ombudsman for children was but one means of monitoring the implementation of the Convention. He wished to know who appointed the 7,000 members of the Child Welfare Committee at the local level, who they reported to and what sort of follow-up - political, legislative and so on - was given to their reports. He wondered whether the National Committee on the Rights of the Child established in August 1995 (p. 5 of the written replies) had a secretariat responsible for carrying out research and formulating proposals or whether it was merely an advisory body. If the Committee felt that the policies being implemented or the current systems needed to be adjusted, to whom should they address their concerns?

29. Mrs. BADRAN asked how the future Consultation Committee for Social Security was going to coordinate its activities with the National Committee on the Rights of the Child.

30. Mr. Seung HO (Republic of Korea) said that his delegation did not have statistics on the number of civil cases brought before military tribunals, the

ratio of military expenditure to social spending and the proportion of social resources earmarked for disadvantaged groups. That information would be communicated to the Committee as soon as possible.

31. The Constitution itself provided that, when martial law was in force, the decisions of military courts should be final; it was not easy to amend the Constitution of any country. That was why the Republic of Korea had made a reservation in respect of the right to file an appeal against a decision in criminal proceedings, as referred to in article 40, paragraph 2 (b) (v), of the Convention.

32. Mr. Keywon CHEONG (Republic of Korea), replying to concerns relating to the dissolution of adoption, said that, while social workers and competent adoption services tried to ensure that the best interests of the child were taken into account in adoption proceedings, difficulties could still crop up after the fact. It was better in such a case to dissolve the adoption. In the Republic of Korea, very few adoptions ended in a dissolution; there were only a handful of examples. By comparison, 20 per cent of adoptions in the United States of America were dissolved. After the adoption was dissolved, there were two possible options. The first, the return of the child to its biological family, was fraught with difficulties because the child might be disliked by the family. Social workers therefore generally preferred the second option, which consisted of placing the child in an institution. Afterwards, he could be put up again for adoption or placed with a foster family.

33. Mr. Seung HO (Republic of Korea) said that, in practice, there was hardly any difference between the process of adoption and its dissolution; both were done by mutual agreement between the parties without going through the courts and a new identity was established for the child concerned. That was the traditional system in his country. If it resulted in serious drawbacks, the question of a possible withdrawal of the reservation would be considered.

34. Replying to other questions raised by members of the Committee, he recalled that the provisions of the Convention could be invoked directly before the courts. Members of the Child Welfare Committee at the community level were volunteers - teachers, journalists, eminent persons - and were appointed by the provincial governors. The National Committee on the Rights of the Child did not have its own secretariat. Secretariat tasks were carried out by the local authorities, while the Ministry of Health and Social Affairs dealt with general policy measures and legal issues. Research, suggestions and proposals were then communicated to the grass-roots units. The Consultation Committee for Social Security, chaired by the Prime Minister, did not handle day to day affairs. Its role was to coordinate the variety of social security policies implemented. Any decision by that Committee was binding on the competent local authorities.

35. Mr. Keywon CHEONG (Republic of Korea), replying to the question concerning the relationship between the Consultation Committee for Social Security and the National Committee on the Rights of the Child, said that the two committees performed completely different functions. The Consultation Committee for Social Security was basically responsible for coordinating policies in the area of social security, such as social insurance, public

assistance and social welfare services. The National Committee on the Rights of the Child was basically responsible for coordinating the activities of public authorities and those of non-governmental organizations relating to the Convention on the Rights of the Child. The two committees did not really have any ties with each other.

36. Miss MASON, referring once again to the reservation to the right to appeal against a decision in criminal proceedings under article 40, paragraph 2 (b) (v), of the Convention, asked whether the Korean delegation could read out the provision of the Constitution of the Republic of Korea with which that provision of the Convention was incompatible. As far as the authority of a constitution was concerned, two systems were possible: in some countries, the Constitution took precedence over any other internal or international provisions, while, in other countries, any obligation deriving from an international treaty took precedence over any domestic legal provision, whether or not such provision was included in the Constitution. She wished to know which one of the two systems was applied in the Republic of Korea.

37. Mrs. SANTOS PAIS, referring to the reservation of the Republic of Korea to article 21 (a), said it was important that adoption should be considered as a solution for the child and not as a solution for the parents or for other interested parties. While the parents had an interest in the matter, the Committee should be concerned above all about the best interests of the child. In the causes for adoption indicated in paragraph 95 of the report, as in the solutions proposed in case of dissolution of the adoption indicated by the delegation, the child seemed to be treated as an object and not as a human being. She was also concerned about the complications of such an approach with respect to international adoption and wondered about the prospects of monitoring the progress of the child adopted and taken abroad and ensuring that it had settled down in its new family and evaluating his chances for a stable future.

38. Mr. HAMMARBERG said that the National Committee on the Rights of the Child could effectively coordinate and monitor policies in that area only if it were independent. He requested additional information in that regard.

39. Mrs. EUFEMIO asked for information about the role of UNICEF in the implementation of the Convention and the way in which UNICEF's activities were coordinated with those of the National Committee on the Rights of the Child.

40. Mr. Seung HO (Republic of Korea), referring to the Republic of Korea's reservation concerning the implementation of the Convention, said that in his country the Constitution was the highest law and that its provisions took precedence over all others. In case of a conflict between national laws and international treaties to which the Republic of Korea had acceded, international treaties took precedence. Moreover, such instruments were taken into account during the drafting and promulgation of new laws.

41. The members of the Korean Committee for UNICEF were appointed at the local level by provincial authorities from among volunteers who might be individuals or civil servants. Replying to Mrs. Eufemio's question, he noted that the Korean Committee for UNICEF was under the Ministry of Health and

Social Affairs. As a last resort, the Consultation Committee for Social Security would assume responsibility for coordination, but basically the Korean Committee for UNICEF was a non-governmental body. There was no independent body responsible for the implementation of the Convention.

42. The CHAIRPERSON invited the delegation and members of the Committee to consider the questions relating to the definition of the child and general principles (questions 9 to 14 of document CRC/C.11/WP.4).

43. Mr. Seung HO (Republic of Korea), replying to question 9, said that, in Korea, children might receive legal and medical counselling without parental consent. For that purpose, there were 79 Child Service Consultation Centres, of which 13 were managed by provincial or local governments. The rest were either financially supported by the Government or privately managed. In addition, there were 297 social welfare centres.

44. Concerning question 10, article 2, paragraph 1, of the Constitution of the Republic of Korea set out the fundamental principles of equality by stipulating that "All citizens shall be equal before the law, and there shall be no discrimination in political, social or cultural life on account of sex, religion or social status". The references to sex, religion and social status should be interpreted as merely examples of the various areas for which non-discrimination was guaranteed. Discrimination based on those areas related to the rights of the child was also strictly prohibited by Korean law.

45. With respect to question 11, it was a Korean social tradition that men's minimum age for marriage should be higher than that of women. That was based on the belief that women were biologically more mature than men at a younger age and that men needed more time for social independence in view of their traditional roles in Korean society. In fact, the actual age at which marriage took place was higher than the minimum legal age of marriage. The difference in the age of marriage corresponded to the ideology of proportional equality practised in other countries with oriental traditions.

46. Replying to question 12, he noted that, in the Korean Government's view special measures were unnecessary, since the principle of non-discrimination was established in Korea. However, disabled children and students from rural areas were entitled to some benefits. Thus, a university and college registration quota had been introduced for such students.

47. Concerning question 13, the Child Welfare Law and the Infant-Baby Care Law had been enacted in 1961 and 1991, respectively. In addition, the Orphan's, Guardianship Affairs Law, which had been in force since 1961, was intended to care for orphans in public facilities. At the same time, the National and Municipal Governments had the obligation to support guardians and children. Accordingly, a Child Welfare Committee had been established and child welfare facilities had been set up to support child welfare organizations. With regard to question 14, the Korean Committee for UNICEF had published the Teachers' Handbook on the Convention on the Rights of the Child, which had been made widely available to the public at large. In addition, the Committee had organized several meetings, workshops and seminars on the rights of the child. Monthly neighbourhood meetings were held on the twenty-fifth day of every month to emphasize the importance of respecting the

rights of the child. Lastly, the Children's Charter and the Youth's Charter emphasized the importance of protecting and promoting the rights of the child. They were contained in some school text books and were posted on boards of facilities frequented by children.

48. Mrs. KARP, referring to the theory of proportional equality, said that it had not been scientifically demonstrated that girls matured mentally earlier than boys and that, by marrying very early, girls might have children at a very early age. In her view, such a policy was contrary to the best interests of girls. She asked for more information on the reasons for the adoption by Korea of the theory of proportional equality. The establishment of 79 Child Service Consultation Centres to provide health care to children was a very positive development. She wished to know whether children in rural areas were sufficiently catered for by such centres.

49. Mrs. SANTOS PAIS said that there was a need to change attitudes with regard to the age of marriage of boys and girls and to draw inspiration from the conclusions of the Beijing Conference, particularly the debate which had taken place on that occasion concerning girls. The concepts of equality and non-discrimination were not equivalent. She expressed the hope that greater efforts would be made to take account of the provisions of article 2 of the Convention in that regard and that steps would be taken towards that end. Referring to paragraph 38 of the report (CRC/C/8/Add.21), she regretted the fact that society was hostile to children born out of wedlock and that, in deciding the order of succession to family headship, children born during marriage had priority among lineal descendants. Steps should therefore be taken in that regard and the Convention should be widely disseminated to correct that situation.

50. Referring to paragraph 139 of the report, which referred to the situation of disabled children, she said she hoped that legal provisions would be adopted to encourage such children to attend school in keeping with the spirit of article 23 of the Convention.

51. She asked for additional information on paragraph 34 of the report and urged the public authorities to take account of the best interests of the child when he was asked to give testimony in court, especially in certain painful situations such as the divorce of his parents or abuse of which he might have been the victim. She also wished to know what criteria were used by judges in deciding whether or not a child could testify in court. More information should also be provided on cases concerning children who were victims of sexual abuse and had to be accompanied to give testimony in court. What happened if the person accompanying the child was the perpetrator of such abuse? She also wished to know how a child's views were taken into account when that particular child was the subject of expulsion proceedings from school.

52. Miss MASON, referring to the preference for sons over daughters in Korea, expressed concern about the fact that, by the time such children became adults, there would be half a million more men than women. In that regard, she wished to know whether the Government was taking steps to deal with persons who were conducting foetal testing, which was illegal.

53. Concerning adoption, she asked whether social workers provided assistance to children whose adoptive parents wished to separate and whether natural parents could go to court to separate from their natural child. In such cases, were the best interests of the child taken into account?

54. Mrs. EUFEMIO, referring to the principle of non-discrimination, pointed out that, in practice, children of mixed blood could only be adopted abroad and not in the country. She wondered whether that was not discrimination against such children and wished to know whether the views of the natural child were taken into account when its parents considered adopting another child.

55. Mr. HAMMARBERG, referring to the reply to question 14 and to article 12 of the Convention concerning the views of the child, requested further information on the way in which the society and authorities respected the view of the child by considering him not as an object, but as a subject of law.

The meeting rose at 6 p.m.